



⑧ 3-36, 92-93)

9 S-102 + 106-113

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Wong et al.
Serial No.: 09/912,471
Filed: 7/24/01
For: Method For Producing Ultrapure Protein Materials

Examiner: Ware, D.
Art Unit: 1651

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

AMENDMENT AND RESPONSE UNDER 37 CFR §§1.111 AND 1.115

Dear Sir:

Responsive to the Office Action mailed 2/7/03, please enter the following response in the file of the above referenced patent application.

In the Specification

Please amend the sentence immediately following the title as follows:

This application is a continuation-in-part of [co-pending] application Serial No. 08/996,976 filed on 12/23/97, now abandoned.

Remarks

In the Office Action of February 7, 2003, the Examiner continued to reject Applicants' assertion that claims 1, 3-36, 92-93, 95-102 were pending in the present application when filed, and that claims 106-113 were properly added by the preliminary amendment filed with the present patent application. Applicants direct the Examiner's attention to the first paragraph of the Remarks section of the preliminary amendment, which was filed with the initial filing papers of the present application, in which the Applicants state that "Claims 1, 3-36, 92-93, and 95-102 remain pending in this application, claims 106-113 are added to the application, and claims 2, 94, and 103-105 have been cancelled". Applicants' further direct the Examiner's attention to MPEP 608.01(j) which states that the original numbering of the claims must be preserved

throughout the prosecution. As the present application is a continuation-in-part of U.S. Patent Application Ser. No. 08/996,976, the numbering of the claims of the present application must be preserved consistent with the numbering of that application. As set forth in the Applicants' response of November 1, 2002, U.S. Ser. No. 08/996,976 was